

PETITIONER ANTONIO SANDERS
EXHIBIT 2 (CO-DEFENDANT) (ARREST 375)

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04446 (216)

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Arrest 7 9/2/97, by the Montgomery County Sheriff's Department for Dangerous Drugs, Possession of a Controlled Substance.

The following is a list of arrests for black male Antonio Carnell Sanders:

Arrest 1 5/1/96, by the Montgomery Police Department for Assault, and Reckless Endangerment.

Arrest 2 8/27/96, by the Montgomery Police Department for Bail Jumping.

X Arrest 3 8/27/96, by the Montgomery Police Department for Making a False Report.

Arrest 4 2/17/97, by the Montgomery County Sheriff's Department for Possession of Marijuana 1st Degree.

X Arrest 5 9/5/97, by the Montgomery County Sheriff's Department for Possession of Marijuana, Making a False Report, and Resisting Arrest.

Show this investigation continuing.

Unfound	Exc. Cleared	Investigator
Cleared by Arrest/	Inactive	D. Cunningham, 216

mwa/C532

000121

EXHIBIT #2

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STATE OF ALABAMA
MONTGOMERY COUNTYWARRANT AND
AFFIDAVIT

THE DISTRICT COURT

CASE NO.

DC97-6544

Before me the undersigned Judge/Clerk/Magistrate of The District Court of Montgomery County, Alabama, personally appeared
Cpl. D. Cunningham

who being by me first duly sworn deposes and says that he has probable cause for believing, and does believe that within twelve months within said County on or about (date) Between 3/17/95 and 3/18/95 one Calvin Mays did intentionally cause the death of Reginald Lavin Kirks by Shooting him/her with a Handgun and Calvin Mays cause said death during the time that Calvin Mays was in the course of committing, or attempting to commit a theft of a Cellular Phone the property of Reginald Lavin Kirks by the use of force against the person of Reginald Lavin Kirks, (or against the person of another present,) with the intent to overcome his physical resistance or physical power of resistance, while the said Calvin Mays was armed with a deadly weapon, to-wit: a Handgun or a dangerous instrument to-wit: in violation of 13A-5-40 (a-2) of the Code of Alabama

Sworn to and Subscribed before me this the 17 day of October, 19 97

Olga B. Johns
Judge/Clerk/Magistrate of District Court
Of Montgomery County, Alabama

Cpl. D. Cunningham #216
Complainant's Signature

STATE OF ALABAMA
MONTGOMERY COUNTY

WARRANT OF ARREST

THE DISTRICT COURT

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

You are thereof commanded to arrest

Calvin Mays

and bring him/her before the DISTRICT COURT OF MONTGOMERY COUNTY, to answer the State of Alabama on a charge of
MURDER DURING ROBBERY IN THE FIRST DEGREE

I have you then and there this writ with your return thereon

Dated this 17 day of October, 19 97

The Sheriff will take bond in the sum of \$ No Bond

Olga B. Johns
Judge/Clerk/Magistrate of District Court
Of Montgomery County, Alabama

WARRANT NO.

1895-97

STATE WITNESSES

Cpl. D. Cunningham #216 MPD

WARRANT OF ARREST
THE DISTRICT COURT OF
MONTGOMERY COUNTY, ALABAMA

THE STATE OF ALABAMA

v.

I HEREBY CERTIFY THAT THIS

WAS SERVED ON

Calvin Mays

ON

B/M/28

DIRECTOR, CRO
DEPT. OF CORRECTIONS

Defendant's Address:

LKA: 5929 Cherryhill Rd.

Race: Black Sex: Male

DOB: 6/13/69

DL No: #150299

S. S. Number:

Employment:

Executed the within Warrant by Arresting
the within named Defendant and
Taking Appearance Bond
Committing Defendant to Jail

This day of
19

By *D. L. #216*
Deputy Sheriff

Case # 95-04446

AFFIDAVIT

1895-97

DISTRICT COURT OF MONTGOMERY ALABAMA

INSTRUCTIONS: Complete the following information on OFFENSE/OFFENDER

Offense: CAPITAL MURDERDefendant's Name: Calvin Mays B/M D.O.B. 6/13/69Defendant's Address: Last Known: 5929 Cherryhill Road Montgomery, AlabamaDate & Time of Offense: Between 3/17/95 2330 hours-3/18/95 1109 hoursPlace of Occurance: 4552 Gordon Ct. Montgomery, AlabamaPerson or Property Attacked: Reginald Lavon KirksHow Attacked: Robbed and shot to death.

Damage Done or Property Attacked: _____

Value of Property: _____

Details of Offense:

On Saturday, 3/18/95 at approximately 1109 hours, B/M Reginald Lavon Kirks was found shot to death in his residence at 4552 Gordon Court. Kirks cellular phone was also taken from his residence.

On 09/09/97 B/M Calvin Mays gave a confession to his part of the offense, and implicated B/M Antonio Sanders, and B/M Christopher McCloud as being with him when this offense was committed. A witness also gave a statement to witnessing the defendants with a large amount of marijuana, and to them discussing the robbery, and shooting.

This offense occurred in Montgomery City, Montgomery County, Alabama, and is in violation of section 13A-5-40 of the code of Alabama, against the peace and dignity of people of Alabama.

I make this affidavit for the purpose of securing a warrant against the said Calvin Mays B/M. I understand that I am instituting a criminal proceeding and cannot drop this case. I further understand that if any of the forgoing facts are untrue, I may, in addition to any other punishment provided by law, be taxed with court costs in this proceeding.

Sworn to and subscribed before me this 17th day of October 1997.

Cpl. D. Cunningham #216
Complainant

Olga B. Johnson
Judge - Clerk - Magistrate

RETURN TO CRO

WITNESSES: (Name, Address, Telephone Number)

1) Cpl. D. Cunningham #216 MPD/Detective Div. 241-2963

2) _____

3) _____